

SELECTMEN'S MEETING DECEMBER 2, 2002

MEMBERS PRESENT: Margaret Crisler, Roger Hohenberger, Galen Stearns, Christopher Doyle and Alan Carpenter. David Sullivan, Town Administrator, was also present. Meeting commenced at 7:00 pm.

ANNOUNCEMENTS: Mr. Hohenberger stated the Christmas tree lighting last night was a great success. He noted that the band sounded wonderful.

LIAISON REPORTS: Mr. Hohenberger reported on the Planning Board meeting last week - passed the sign ordinance, finalized gateway, and interim growth management discussion.

Mr. Stearns reported on the meeting with the board and other town boards with the EPA regarding mitigation for the DOT's planned improvements to I 93. Mr. Stearns noted that all parties are working together on this issue.

MINUTES: Mr. Hohenberger motioned and Mr. Stearns seconded to approve the minutes of November 18, 2002 as presented. Passed unanimously.

CORRESPONDENCE: Letter from NH DOT discussing Salem - Concord bikeway study. Requesting a representative from Windham to be on a study committee - Wayne Morris requested to be appointed. Mr. Stearns motioned and Mr. Doyle seconded to appoint Mr. Morris to the citizens bikeway study committee. Passed unanimously.

Letter from Rep. Mary Griffin thanking the Board for the wonderful dedication ceremony for Griffin Park.

Letter from the Town of Bedford regarding the possible purchase of Pennachuck Water by Nashua. Nashua is still working with other towns to possibly make the water system a regional one. Mr. Turner gave the Board a brief update on this process. Mr. Carpenter suggested that the Board schedule a workshop with Karen White on December 16th for a complete update on this process. The Board will send a letter to Nashua asking to be kept informed of this process.

PUBLIC HEARING ON THE ACCEPTANCE OF EASY STREET: The notice was read by Mr. Sullivan. Mr. Stearns questioned if the drainage and ice problems have been corrected. Mr. Turner told the Board that extensive work has been done to correct these issues. Mr. Stearns suggested not accepting Easy Street until next spring to see if the problems occur during the winter. Mr. Stearns so moved. Mr. Doyle seconded. Passed unanimously.

PUBLIC HEARING PROPOSED ATV ORDINANCE: David Sullivan read public hearing notice. Comments were made by the Board concerning wording in some areas of the proposed ordinance, i.e. common snowmobiles. Mr. Sullivan suggested some possible revisions to the proposed ordinance including having the effective date in 2003.

Public input - The following residents expressed their view and concerns regarding the proposed ordinance: Tom Case, Wally Ramsden, Gerald Capron, Diana Fallon, Mark Samsel, Ross McLeod, John Magnon, Mr. DuBois and Wayne Morris Discussions included: should this proposed policy be called ordinance or regulations for use of town land, definitions, handicapped modes of transportation, enforcement, exemption of snowmobiles, effective date, reasons not to implement ordinance

immediately (enforcement issues and time for residents to make other arrangements), it is now illegal to ride OHRVs on conservation land, damage done this spring in the Foster Pond area, amount of fines, damage in wetlands, regulated activities, police equipment procurement and training, reckless access violations, and donations of ATVs.

Mr. Stearns motioned to approve the "Use of Recreational Vehicles on Town Property Ordinance" with changes suggested by Mr. Sullivan on this date including removing verbiage relative to usage of trail by handicapped persons, allowing use of vehicles on roadways and parking lots as appropriate, and a few grammatical correction and renumbering sections as needed due to changes and having the ordinance effective March 30, 2003. Mr. Carpenter seconded. Mr. Carpenter noted that the Town does own the railroad bed west of I-93. Passed 4-1 with Mr. Doyle opposed, due to the effective date.

WORKSHOP ON I-93 MITIGATION: The Board held a workshop with the Planning Board, Conservation and Historic/Heritage Commission to discuss the mitigation for the improvements to I-93. The DOT and EPA support the Southeast lands and are prepared to begin the acquisition process immediately. Mrs. Crisler asked the group to decide if they support this acquisition. Russ Wilder, Wayne Morris, Lisa Linowes, Ross McLeod, James Finn, Gerald Capron, and Charles McMahon discussed the amount of acres they wished be mitigated and the amount of payment expected.

The group addressed all points in the proposed letter written to the DOT by Mr. Turner. Areas to be addressed are: economic mitigation -relocation of businesses, access to the industrial zoned lands, set aside land near historic buildings, state owned lands not used for the expansion be given to the town; mitigation issues - concentrate mitigation in the southeast portion of town, preserve large blocks of contiguous land of high ecological value, provide mitigation in relationship to amount of impact to the towns, provide storm water detention ponds, level of salt use near Canobie Lake and Cobbetts Pond be studied, construction of a utility corridor for sewer and water and reconnect the wetlands of Rte 111A and west of Canobie and design issues.

Wayne Ulakey resident of Windham, told the Board that he had heard that the Conservation Commission and the Board are discussing the disposition of his land and no one has spoken to him. Mrs. Crisler explained that the State cannot take any land for mitigation, but can work with the owner to procure the property but only if the owner is agreeable.

OTHER BUSINESS: Landscaping Bids: Mr. Sullivan explained to the Board that he would explain the landscaping bids now, however, he wished that they delay any decision until after their budget meeting with Recreation.

Mr. Sullivan stated that he and Mr. Barlow had met with all the bidders as all bids were different and not comparable. Only two bidders bid on the complete package and they were both higher than budgeted.

The Board agreed to not take any action until the meeting with Recreation at which options could be discussed.

Fire Union - Mr. Sullivan stated that a letter was received from the Fire Fighters Union regarding their concerns about the department being understaffed and funding. Mr. Sullivan stated that he and Acting Chief Messier would continue to work with the union and if the Board wished to meet with them a meeting could be arranged in the future.

NON-PUBLIC SESSION: Mr. Hohenberger motioned to go into non-public session in accordance with RSA 91:3, IIa. Mr. Stearns seconded. Roll Call Vote - all members - yes. The Board and Mr. Sullivan were in attendance. Subject was personnel.

Mr. Sullivan updated the Board on a personnel issue and he will follow-up.

Mr. Stearns motioned to adjourn. Mr. Hohenberger seconded. Meeting adjourned at approximately 11:15 pm.

Respectfully submitted,

Kathleen Davis
Administrative Assistant

NOTE: These minutes are prepared in draft form and have not been submitted to the Board for approval.

